

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FIREMAN'S FUND INSURANCE COMPANY,
As Subrogee of Hodan Properties, Inc.
Plaintiff

Vs.

CASE NUMBER 04-11578 PBS

FIRE SYSTEMS, INC.,
FIRE SUPPRESSION SYSTEMS OF
NEW ENGLAND, INC.,
PRO CON, INC.
and BRIERE & PAQUETTE, INC. f/k/a
PAQUETTE ELECTRIC CO., INC.,
Defendants

FIRE SYSTEMS, INC.'S EXPERT DISCLOSURE

Pursuant to Fed. R. Civ. P. 26(a)(2), the defendant, Fire Systems, Inc., identifies the following persons who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Civil Procedure:

Thomas Klem
T.J. Klem and Associates
24 Robert Road
Stoughton, MA 02072

Mr. Klem is expected to testify in accordance with his report which is attached as **Exhibit**

1.

James J. Rogers
220 Winyah Lane
P.. Box 1379
Vineyard Haven, MA 02568

Mr. Rogers is expected to testify in accordance with his report which is attached as

Exhibit 2.

FIRE SYSTEMS, INC.

By its Attorneys,

MORRISON MAHONEY LLP

/s/ Gordon L. Sykes

Gordon L. Sykes, BBO #555580
10 North Main Street
Fall River, MA 02720
(508) 677-3100

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 1, 2006.

/s/ Gordon L. Sykes

EXHIBIT “1”

T. J. Klem & Associates

CONSULTING FIRE PROTECTION ENGINEERS
CERTIFIED FIRE INVESTIGATORS

Thomas J. Klem
email: tjkleme@aol.com

November 28, 2003

Michael C. McDonnell, Jr.
GAB Robins
One Ellinwood Court
New Hartford, New York 13413

Dear Mr. McDonnell:

You requested that T. J. Klem and Associates review the circumstances surrounding the sprinkler freeze that occurred at the Residence Inn by Marriott located at 181 Faunce Corner Road, North Dartmouth, MA.

A site visit was conducted on October 30, 2003 and Charles Barrett, the President of Fire Systems, Inc. was interviewed on November 6, 2003.

The following documents have been reviewed for this report:

1. Written statement by Charles Barrett from March 28, 2003
2. Contract between Fire Systems, Inc and the Residence Inn by Marriott
3. Fire Systems, Inc. Test / Inspection Report from November 20, 2002
4. Fire Systems, Inc. Test / Inspection Report from January 16, 2003
5. Expert report by Richard Papetti of GAI Engineers
6. Pictures taken by Richard Papetti
7. Fire Systems, Inc. Invoice dated November 29, 2002
8. Fire Systems, Inc. work order dated December 10, 2002
9. Fire Suppression Systems of N.E., Inc. work order dated January 19, 2003
10. Facsimile dated August 7, 2002 from Fire Suppression Systems of N.E., Inc. to Pro Con Construction providing system acceptance documentation
11. Letter from Charles Barrett to Michael McDonnell of GAB Robins
12. Automatic Sprinkler plans of the building
13. Fire alarm system printout from January 19, 2003

National Fire Protection Association Standards and Recommended Practices:

NFPA 13, *Installation of Sprinkler Systems*, 2002 edition
NFPA 25, *Inspection Testing, and Maintenance of Water-Based Fire Protection Systems*, 2002 edition

BACKGROUND

On January 19, 2003 at approximately 5:00 PM water was observed leaking from the ceiling of Room 327 of the Marriott Residence Inn. Eventually a pull station, a portion of the built-in fire alarm system for the building, was activated and the Dartmouth Fire Department was automatically notified and responded to the scene. Upon their arrival, firefighters closed the main valve to the dry automatic sprinkler system and the water leakage ultimately stopped. Fire Suppression Services, Inc., the installer of the sprinkler system was called to the scene and determined the incident to be a freeze of some of the components of the system. They later repaired the frozen branch line. Others involved in the installation of the fire alarm system, also summoned to the scene, reportedly found that the "Low Air Pressure Switch" and the "Alarm Pressure Switch" for the dry system were wired incorrectly.

DISCUSSION

Upon installation, sprinkler systems need to be hydrostatically tested. Additionally, dry systems need to be trip tested satisfactorily. Both of these tests result in water within the dry system that needs to be adequately drained at the conclusion of the testing. The adequate design and installation of automatic sprinkler systems facilitates the complete removal of water from the system through the main and other required drains.

Fire Systems, Inc. performed required maintenance inspections of the sprinkler system at the Residence Inn by Marriott on November 20, 2002 and January 16, 2003. Neither of their inspection reports corresponding to these dates indicates that Fire Systems, Inc. ever performed a dry valve trip test, i.e. water did not fill the dry system on these inspections. However, a portion of the alarm system was tested as required by their contract with the owners of the hotel and reportedly the main drain of the wet system was operated. In their contractual agreement with Marriott, it was agreed that the dry valve trip test of the dry sprinkler system would be performed annually. It is the practice of Fire Systems, Inc. to conduct this test in the spring or summer as suggested by NFPA 25 *Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*, 2002 edition.

12.4.4.2.2 Each dry pipe valve shall be trip tested annually during warm weather.

Water was reported to have been seen by William Roland, the general manager of the Marriott Residence Inn, on the January 16th test date coming from the remote test station outlet. Upon review of the sprinkler plans, this stream of water was at the opposite end of the site where the drawings indicate that the inspector's test for the dry sprinkler system is located and the water seen flowing would have been from the testing of the wet sprinkler system.

It shall also be noted that during our site inspection a random sampling of approximately ten branch lines and cross mains was evaluated to determine the adequacy of their slopes

(pitch) to facilitate adequate drainage. Several dry sprinkler system lines/mains were found to be reversed pitched, some were established to have sufficient pitch, and others were concluded to have little or no pitch at all. The following excerpt is from NFPA 13 *Installation of Sprinkler Systems*, 2002 edition.

8.15.2.3.1 Dry Pipe Systems in Non-Refrigerated Areas. In dry pipe systems branch lines shall be pitched at least $\frac{1}{2}$ in. per 10 ft (4mm/m) and mains shall be pitched at least $\frac{1}{4}$ in. per 10 ft (2 mm/m).

The sprinkler lines that froze were found to have sufficient pitch at the time of our inspection. However, this is a moot point because it is not known if these branch lines were pitched correctly before the incident and the sprinkler lines had been replaced and proper pitch achieved at the time of our and others inspections.

The contract between Fire Systems, Inc. and Marriott states that "fire alarm and detection systems under this agreement shall have a random sampling of devices tested during each visit so that the entire system is tested at the end of each contract year." Logical testing of the alarm for the dry system would be during the annual dry valve trip test. The contract also asserts that "this agreement does not include any maintenance, repairs, alterations, or replacement parts unless otherwise specified in this agreement."

We have assessed the reported positions of electrical connections to the alarm devices for the dry system. In the reported position the devices would not sound the fire alarm system upon activation of the dry system, and would also not result in a "trouble signal" under normal operable conditions. Required acceptance testing of the fire alarm system at installation should have detected this installation defect. We have not been provided with such documentation/certification for the fire alarm system. Others have implied and have concluded that the low/high air pressure switch and the alarm pressure switch were rewired incorrectly by Fire Systems, Inc. They were not under contract to perform any repairs (etc.) to such devices and our review of their records show no charges for such work. Their records do indicate that they reported to the management of the hotel that during their routine testing of the fire protection systems for the building that a flow switch for the standpipe system was determined to have been wired incorrectly.

CONCLUSIONS

There is no factual basis that Fire Systems, Inc. ever tripped the valve of the dry sprinkler system during any of their maintenance inspections. Their reporting of their maintenance to the system on two occasions, clearly reports that the dry valve was not tripped.


Considering the deficiencies in installation of the dry system found during our inspection, the water in the system that resulted in the freeze most likely was the result of the initial acceptance tests and inadequate system drainage performed by Fire Suppression Services, Inc. Again, several branch lines and cross mains were found to have insufficient pitches or reverse pitches, resulting in water being trapped in the sprinkler lines and not readily drained. Finally, the winter of 2003 was the first exposure of this dry system to freezing conditions.

The contract between Fire Systems, Inc. and Marriott called for a random sampling of alarms to be tested at each visit with the entire system being tested once a year. The most reasonable time to test the alarm on the dry sprinkler system would be during the dry valve trip test. This would have been performed during the spring or summer of 2003. Fire Systems, Inc. also would not have performed any repairs or alterations to the system as was suggested by others. We find their conclusion flawed. As an example, during their routine maintenance of the fire alarm and sprinkler systems, Fire Systems, Inc. found a deficiency in the wiring method of a flow switch for the standpipe system and reported it to the owners of the building. The lack of acceptance documentation of the fire alarm system at the time of installation, coupled with the deficiencies found both by Fire Systems and by others following this loss lead us to conclude that the wiring problems with the various fire alarm system devices most likely existed from the time of their installation. We know of no factual basis to conclude that any adjustments to alarm devices were made by Fire System personnel during their maintenance and testing of the fire protection systems at the Marriott.

Finally, several inconsistencies were noted with the reporting of the initial acceptance testing of the sprinkler system. Additionally, during the site visit it was observed that the air compressor for the dry sprinkler system was running excessively. We are obligated to report this condition and the condition of the improper pitch of the sprinkler piping within the attic to the owners of the property. Our inspection of the fire protection systems within the property was limited to areas concerned with this loss and thus other deficiencies may also exist to the systems.

Please let me know if you should have any questions regarding this report.

Sincerely,



Thomas J. Klem, MScEPE, CFI
Fire Protection Engineer

Thomas J. Klem, MScFPE
Fire Protection Engineer
24 Robert Road
Stoughton, MA 02072
(781) 344-1115

Experience

- 1994- Present T. J. Klem and Associates, Stoughton, MA
Owner and principal engineer of full service fire protection engineering firm. Provides diverse clientele fire protection engineering assessments of fire losses and pre-incident hazards and develops operating procedures for loss prevention purposes. Examples of cases include equipment malfunctions, diffusion of flammable liquids and gasses, static electric ignition of substances, ignition and flame spread characteristics of materials and products and fire protection system performance. Application of fire protection engineering principles to diverse environments such as commercial aircraft and industrial processes. Provides analysis of fire and building code applicability. As Certified Fire Investigator, (CFI) provides fire origin, growth and spread determinations for a wide spectrum of occupancy fire losses, including cases involving arson. Appointed "fire expert" by chief federal judge to counsel and report on fire safety findings based on the analysis of a detention center within a high-rise building complex. Fire protection consultant to Arthur Anderson LLP, Business Fraud Risk Services. Lectures on fire protection engineering topics to various technical groups, including IAAI chapters throughout the country. As fire service liaison for the MA Chapter of the Society of Fire Protection Engineers, volunteers to assist local fire investigators on various fire protection engineering issues.
- 1982 - 1994 National Fire Protection Association, Quincy, MA
Director, Fire Investigations (Chief Fire Investigator). Administered the association's aggressive fire investigations program. Analyzed technically significant fire occurrences and integrated results into ongoing association standards-making programs, resulting in meaningful changes in codes and advancement of the state of the art. Prepared and directed dissemination of technical reports to fire protection community. Integrated state-of-the-art technology into program and among key engineering staff. Selected to represent the association on technical matters to outside organizations including DOT Committee on aircraft Fire Safety, the media, and in testimony before the U.S. Congress. Frequent guest lecturer to fire protection community and federal law enforcement agencies.

Page 2: Curriculum Vitae of Thomas J. Klem

1976 - 1982 United States Fire Administration, Washington, D.C.
Investigative Officer, National Fire Data Center and Office of the Administrator. Managed the Administration's major fires and applied research fire study programs. Selected to provide information and testimony to Congress and other government agencies regarding topical fire protection issues. Developed national fire investigative protocols for electrical fires, fires involving thermal insulation, and manufactured home fires.

1966 - 1976 Prince George's County Fire Department, Upper Marlboro, MD
Served in various positions with steadily increasing responsibility, up to Executive Officer to the Fire Chief, accountable for department management and development of long-range planning. As Captain, Operations and Engineering Division, and Captain, Hazardous Materials Division, had responsibility for developing standard operating procedures and fire code enforcement and interpretation. Also served as firefighter, fire sergeant, fire inspector and fire investigator.

Education B.A., University of Maryland, Fire Protection and Business
M.S., Fire Protection Engineering, Worcester Polytechnic Institute
Certified Fire Investigator (CFI), International Association of Arson Investigators (IAAI)

Memberships and Affiliations

Member, Society of Fire Protection Engineers
Member, New England Chapter, Society of Fire Protection Engineers
Member, International Association of Arson Investigators
Member, National Fire Protection Association
Member, NFPA Technical Committee on Telecommunications
Chair, Fire Prevention, Pre-fire Planning and Emergency Response and Recovery
Associate Member, International Association of Fire Fighters (IAFF),
Local 1619, Retired, Prince George's County Fire Fighters

Significant Fire Investigations: See separate listing

Published Articles and Products: See separate listing

T. J. Klem & Associates

CONSULTING FIRE PROTECTION ENGINEERS

Thomas J. Klem

Published Articles

"Three Workers Die in Electrical Power Plant Fire," *NFPA Journal*, March/April 1993 (with Casey C. Grant);
"Major High-Rise Fires Reveal Protection Needs," *NFPA Journal*, September/October 1992;
"Fire Storm '91 Fire Case Study," May 1992;
"Twenty-Five Die in Food Plant Fire," *NFPA Journal*, January/February 1992;
"High-Rise Fire Claims Three Philadelphia Fire Fighters," *NFPA Journal*, September/October 1991;
"Stephan Bridge Road Fire Case Study," April 1991;
"Board and Care Fire Claims Four," *Fire Command*, December 1990;
"Earthquake Tests Disaster Response," *Fire Command*, December 1989;
"The Crash of United Flight 232," *Fire Command*, October 1989 (with Mark T. Conroy);
"Black Tiger Fire Case Study," July 1989;
"Los Angeles High-Rise Bank Fire," *Fire Journal*, May/June 1989;
"The Hackensack Fatalities," *Fire Command*, October 1988;
"Fact Sheet - Interstate Bank Building Fire," *Fire Command*, July 1987;
"Fatal Live Fire Training Incident," *Fire Command*, May 1988;
"Fact Sheet - Fire Fighter Fatality Training Incident," *Fire Command*, December 1987;
"Triple Tragedy in Detroit," *Fire Command*, July 1987;
"97 Die in Arson Fire at Dupont Plaza Hotel," *Fire Journal*, May/June 1987;
"56 Die in English Stadium Fire," *Fire Journal*, May 1986;
"The Bradford, England, Stadium Fire," *Fire Command*, April 1986;
"Fire at the Prudential Building, Boston, MA," *Fire Command*, March 1986 (with Greg Kyte);
"Fire Fighter Dies in Ammonia Explosion," *Fire Command*, February 1985;
"Explosion in Cold Storage Kills Fire Fighter," *Fire Journal*, March 1985;
"New York Dwelling Fire Kills Family of Seven," *Fire Journal*, November 1984;
"The Rural Fire Picture: A Hidden Story," *Fire Journal*, September 1984;
"Partners in Fire Investigation," *Fire Journal*, July 1984;
"Scores Die in Tank Fire Boilover," *Fire Service Today*, June 1983;
"Twelve Die in Fire at Westchase Hilton Hotel," *Fire Journal*, 1983;
"Six Die in Wisconsin Group Home Fire," *Fire Journal*, January 1984;

Audio-Visual Projects

Technical Advisor to NFPA Video Projects:

- "Countdown to Disaster"
- "Fire Power"
- "Fire Storm '91 Case Study"
- "Fire in the Hills: The Oakland Story"
- "Four Hotel Fires: Lessons Learned" (slide package)

Producer, USFA Investigative Protocols:

- "Conducting Mobile Home Investigations and their Analysis"
- "Conducting Thermal Insulation Investigations and their Analysis"
- "Conducting Electrical Fire Investigations and their Analysis"

T.J. Klem & Associates

CONSULTING FIRE PROTECTION ENGINEERS

Thomas J. Klem

Selected Significant Fire Investigations

ATLANTA BOARD AND CARE FIRE, July 1993
THAILAND TOY FACTORY FIRE, May 1993
LOS ANGELES APARTMENT HOUSE FIRE, May 1993
WORLD TRADE CENTER FIRE, February 1993
WEYMOUTH, MA., HOSPITAL FIRE, January 1993
WINDSOR CASTLE FIRE, December 1992
NEWARK COGENERATION FACILITY FIRE, December 1992
TWA AIRCRAFT FIRE AT KENNEDY AIRPORT, July 1992
SPOKANE, WA., WILDLAND FIRE, October 1991
OAKLAND/BERKLEY HILLS CONFLAGRATION, October 1991
IMPERIAL FOODS PROCESSING PLANT FIRE HAMLET, NC., September 1991
ONE MERIDIAN PLAZA, THREE FIRE FIGHTER FATALITIES, February 1991
FATAL BOARD AND CARE FIRE, BESSEMER, ALABAMA, September 1990
GRAYLING, MI., WILDLAND FIRE, May 1990
SOCIAL CLUB FIRE, BRONX, NEW YORK, March 1990
ELDERLY HOUSING FIRE, ROANOKE, VA., December 1989
THE LOMA PRIETA EARTHQUAKE, SAN FRANCISCO BAY AREA, CA., October 1989
NORFOLK, VA, NURSING HOME FIRE, October 1989
CRASH OF UNITED AIRLINES FLIGHT 232, SIOUX CITY, IA, July 1989
BOULDER, CO., WILDLAND FIRE, July 1989
ATLANTA OFFICE BUILDING FIRE, June 1989
HOSPITAL FIRE, ST. JEROME, QUEBEC, January 1989
FIVE FIRE FIGHTER FATALITIES, HACKENSACK, NEW JERSEY, July 1988
FIRST INTERSTATE BANK BUILDING FIRE, LOS ANGELES, CA., May 1988
FATAL LIVE TRAINING EXERCISE, MILFORD, MICHIGAN, October 1987
THREE DETROIT FIRE FIGHTER FATALITIES, March 1987
DUPONT PLAZA HOTEL FIRE, SAN JUAN, PUERTO RICO, December 1986
FIREWORKS EXPLOSION, JAFFREY, NH., September 1986
PRUDENTIAL HIGH-RISE BUILDING FIRE, BOSTON, MA., January 1986
SOCCER STADIUM FIRE, BRADFORD, ENGLAND, May 1985
HOTEL FIRE, WAUKEGAN, IL., December 1984
FIRE FIGHTER FATALITY, SHREVEPORT, LA., September 1984
ROOMING HOUSE, BEVERLY, MA., July 1984
CONFLAGRATION, PHILADELPHIA, PA., May 1984
CRUISE SHIP FIRE, PORT CANAVERAL, FL, March 1983
HOTEL FIRE, DAYTON, OH., November 1983
HOTEL FIRE, FORT WORTH, TX., June 1983
AIR CANADA FIRE, CINCINNATI, OH., June 1983
HOTEL FIRE, EAU CLAIRE, WI., February 1983
FUEL STORAGE BOILOVER, CARACAS, VENEZUELA, December 1982
STOUFFER'S HOTEL FIRE, HARRISON, NY., May 1980
BEVERLY HILLS SUPPER CLUB FIRE, SOUTHGATE, KY., May 1977

**Thomas J. Klem, MScFPE
Fire Protection Engineer
24 Robert Road
Stoughton, MA 02072
(781) 344-1115**

With more than 25 years of experience in fire investigations, prevention, suppression, and engineering loss analysis, Thomas J. Klem is a seasoned fire protection expert, author of technical articles, and lecturer. Now president of his own fire protection engineering firm, Mr. Klem previously served in key positions of some of the most prestigious fire protection organizations in the country. He is experienced in the analysis of fire and emergency operations, including large building complexes, to assess fire protection design and performance. His analyses are accompanied by recommendations to improve the overall performance and fire code requirements of similar structures. Mr. Klem demonstrates a command of technical report-writing, utilizing detailed assessment, analysis and documentation of complex technical variables.

Mr. Klem has conducted the investigations and analyses of many significant U.S. fire incidents including such major events as the Beverly Hills Supper Club fire, the MGM Grand and Dupont Plaza Hotel fires, the One Meridian Plaza high-rise office building fire, and the World Trade Center explosion and fire.

Since 1994, Mr. Klem has provided expert consultation on a variety of fire protection issues related to fire cause, ignition and spread, and involving diverse occupancies/structures such as highly protected risks, commercial aircraft and industrial occupancies.

Until 1994, Mr. Klem directed the fire investigations department at the National Fire Protection Association. For more than 10 years, he was instrumental in this role in advancing state-of-the-art fire modeling applications for fire investigations and training of the engineering staff in fire investigative protocols. Prior to joining the NFPA, Mr. Klem was a fire officer with the Prince George's County, Maryland, Fire Department, where he had responsibility for fire prevention, building and fire code interpretations, fire suppression and administration, and was a fire investigations officer. For six years Mr. Klem managed the United States Fire Administration's major fire and applied research fire study programs and developed national fire investigative protocols for electrical fires, fires involving thermal insulation, and manufactured home fires.

Mr. Klem is a graduate of the University of Maryland. He received his master of science degree in Fire Protection Engineering at Worcester Polytechnic Institute.

T. J. Klem & Associates

CONSULTING FIRE PROTECTION ENGINEERS
CERTIFIED FIRE INVESTIGATORS

Thomas J. Klem
email: tjkleem@aol.com

THOMAS J. KLEM EXPERT TESTIMONY 1995-2002

1. Oldham, et al., v. MHTC Jackson Co. (Missouri) Circuit Court, CV 89-13327.
2. United States v. Johnson, United States District Court for the Middle District of Alabama, Eastern Division, Docket No. 95-00123. (Note: appointed by the court as fire expert and submitted a technical report).
3. O'Neill v. USAir, United States District Court, Central District of California, CV 92-0475.
4. Handy, et al., v. First Interstate Bank Building, Los Angeles Superior Court, C 690948.
5. Cogliano v. DiversiTech, et al., Commonwealth of Massachusetts, Middlesex Superior Court., 95-2792.
6. Sunland Beef, et al., v. Dupps, Superior Court of Arizona, CV 95-08167.
7. John Doe, et al., v. Don Younger, United States District Court, Eastern District of Kentucky. Civil action No. 91-187.
8. Judy Violette and Holyoke Mutual Insurance Company v. Dennison Manufacturing Company, Middlesex Superior Court, Cambridge, MA Civil Action No. 94-5995.
9. O'Brian Cogeneration v. Hawk-Siddeley Power Engineering et al., Superior court of New Jersey, Essex County. Docket No. EXL-L-3218-95, (June, 1997).
10. Minehan, Adm. V. Rapids Realty Co. and Peter Elliot & CO., Civil Action No. 95-5039C, Suffolk, MA ss.
11. Ellen Tracy, et al, v. J&R Sprinkler Co, State of VT, Bennington County, ss., Bennington Superior Ct. Docket SO394-95 Bss.

12. Duncan v. House of Lloyd, State of MI, Circuit Court for the County of Berrien, Case No. 91-2340-NP-T (Deposition, Feb., 1998).
13. O'Brian Cogeneration v. Hawk-Siddleley Power Engineering et al., Superior court of New Jersey, Essex County. Docket No. EXL-L-3218-95, (February, 1998).
14. Duncan v. House of Loyds, State of MI, Circuit Court for Berrien County, Case 91-2340-NP-T (Hearing and testimony on spoliation issues), May, 1998.
15. Niddrie v. Travelers, Circuit Court of Cook County, IL, No. 92 L 14074, April, 1998, Deposition.
16. National Transportation and Safety Board (NTSB) Hearing on FEDEX Fire Incident, Newberg, NY, Deposition, May, 1998.
17. Niddrie v. Travelers, Circuit Court of Cook County, IL, No. 92 L 14074, October, 1998, Trial.
18. Bob's Auto Care v. Ford Motor Company, Norfolk County Superior Court, 97-01757, Deposition, October, 1998.
19. Green v. Hartford Insurance Company, The State of New Hampshire, Superior Court Rockingham, SS, Case 98-C-49, Deposition, December, 1998.
20. Jonathan Edwards v. Cynthia Charest of behalf of the Estate of Larry Charest, the State of NH, Superior Court, No. 98-C-0038, Deposition, 1999.
21. William Faulkner d/b/a Natural Designs and Landscaping v. Ansul Fire Protection, State of NC, County of Cumberland, Superior Court, No. 97 CV8621, Deposition, July, 1999.
22. Francis Ford et al., v. Emro Marketing Co. et al., State of Ohio, Franklin County, Superior Court, No. 98 CVC 03-2203, Deposition, August, 1999.
23. Truck Insurance Exchange v. Time Warner Operations, Inc. et al., Superior Court of the State of CA, or the County of Orange, Combined Cases No. 77 93 66 and 79 04 46, Trial, October, 1999.
24. Dale Penney v. Forster, Inc, Superior Court of State of Maine, CV-98-076, December, 1999.
25. William Cook, et al. v. Tidemill Farms, Inc., Hancock, VT, Superior Ct. CV 99-83. August, 2000.

26. Tolentino et al. v. United Parcel Service and Consolidated Rail Corp., U.S. District Court, Civil Action 98 10369-MEL. Depositions, August and September, 2000.
27. Duro Industries, Inc. et al v. Sherle Wagner International, United States District Court, District of MA., CV 12216 RWZ. Deposition, December, 2000.
28. Bob's Auto Care v. Ford Motor Company, Norfolk County Superior Court, 97-01757, Trial, February, 2001.
29. Tolentino et al. v. United Parcel Service and Consolidated Rail Corp., U.S. District Court, Civil Action 98 10369-MEL. Trial, November, 2001.
30. Thom Realty Corporation v. Baker Fire Equipment Co., Inc. Middlesex Superior Court Civil Action No. 99-5144. Deposition, January, 2002.
31. Oroujo v. O'Niel, Rockingham County, NH, Docket #OO-C-878. Deposition, January, 2002.
32. Arbella Mutual Insurance Co. V. Paul Smith and Debra Smith, Norfolk County Superior Court, Docket No. 0001356, Trial February, 2002.
33. The Shantigar Foundation v. Bear Mountain Builders and Cove Builders, Franklin County, MA Superior Court, Docket No. 00106, Trial May, 2002.
34. Testo v. Toyotomi and Home Depot, Superior Court, Judicial District of Fairfield at Bridgeport, CV 99-0360735 S, Deposition, June, 2002.
35. Buckley, et al v. General Motors Corporation et al, Circuit Court of the County of St. Louis Missouri, Case # 00CC-003492 H CV, Deposition, July, 2002.
36. Kaufman v. Ming International and GE-Ray Fabrics, United States District Court for the District of Vermont, Civil Action No. 1: 01-CV-59, Deposition, July, 2002.
37. Trans North Turbo Air v. North 60 Petro, Supreme Court of the Yukon Territory, S.C. No. 00-A-0174, Trial, July, 2002.
38. Kaufman v. Ming International and GE-Ray Fabrics, United States District Court for the District of Vermont, Civil Action No. 1: 01-CV-59, Deposition, August, 2002.

39. Commonwealth v. Thomas Crouse, Commonwealth of Massachusetts Middlesex Superior Court Criminal Business, No. 2001-0733, Trial October, 2002.

40. United States District Court, District of Connecticut, Albany Insurance v. United Alarm Service et al, Case No. 3:00CV 1193 (AWT). Deposition February, 2003.

41. Nicholas Jace and Scottsdale Insurance v. Hampshire Fire Protection Co., Rockingham County (NH) Superior Court No. 02-C-58, Deposition June, 2003.